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PTO/SB/21 (08-00)  
Approved for use through 10/31/2002 OMB 0651-0031  
Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/826,055	
	Filing Date	04/03/2001	
	First Named Inventor	Douglas T. Gjerde	
	Group Art Unit	1656	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	99	Attorney Docket Number	P-457

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Substitute CRF (1 disk); copy of USPTO date-stamped receipt postcard, copy of Express Mail Label; copy of Notice to Comply - Part 2, copy of Specification as filed (86 pages), Certificate of Mailing
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	John F. Brady Transgenomic, Inc.
Signature	<i>John F. Brady</i> 25732
Date	13 MAY 02

PATENT & TRADEMARK OFFICE

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: May 13, 2002			
Typed or printed name	Vivian Y. Bujten		
Signature	<i>Vivian Y. Bujten</i>	Date	5/13/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision

Complete if Known

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

\$130.00

Application Number

09/826,055

Filing Date

04/03/2001

First Named Inventor

Douglas T. Gjerde

Examiner Name

Not Yet Assigned

Group Art Unit

1656

Attorney Docket No.

P-457

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**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number

50-0821

Deposit Account Name

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above identified deposit account**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Extra Claims		Fee from below	Fee Paid
Total Claims	-20** =		
0	0	X	0.00
Independent Claims	-3** =	Fee from below	Fee Paid
0	0		
0	0	X	0.00
Multiple Dependent		Fee from below	Fee Paid

Large Entity		Small Entity		Fee Description
Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

\$0.00

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non - English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	130.00
123	50	123	50	Processing fee under 37 CFR § 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$130.00

**SUBMITTED BY**

Name (Print/Type)	John F. Brady	Registration No. (Attorney/Agent)	39,118	Telephone	(408) 514-3134
Signature	<i>John F. Brady</i>	Date	13 M, 9 02		

Complete (if applicable)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20230  
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09 826,055	04/03/2001	Douglas T. Gjerde	P-457

25732  
WILLIAM B. WALKER  
TRANSGENOMIC, INC.  
2032 CONCOURSE DRIVE  
SAN JOSE, CA 95131

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CONFIRMATION NO. 2447

FORMALITIES LETTER



\*OC000000007655837\*

Date Mailed: 03/18/2002

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

The following item(s) appear to have been **omitted** from the application:

- Page(s) **4&49** of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition

under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

---

*A copy of this notice **MUST** be returned with the reply.*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney Docket No. P-457

16568  
Per sey

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Douglas T. Gjerde et al

Serial No. 09/826,055

Filing date: 04/03/2001

For: **MODIFYING DOUBLE STRANDED DNA  
TO ENHANCE SEPARATIONS BY  
MATCHED ION POLYNUCLEOTIDE  
CHROMATOGRAPHY**

Art Unit No. 1656

Examiner: Not Yet Assigned

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**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**  
**(37 C.F.R. §1.8)**

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

Attn: Customer Service Center  
Initial Patent Examination Division

Sir:

I hereby certify that the following documents (including Postcard, Transmittal Form, Fee Transmittal, Check in the amount of \$130.00, Petition Under 37 C.F.R. §1.53(e)(2), Response to Notice to Comply, Substitute CRF of Sequence Listing (disk), copy of USPTO mailroom date-stamped receipt postcard, copy of Express Mail Label indicating date of deposit with USPS, copy of Notice to Comply with Requirements for Patent Application – Part 2, and copy of specification as originally filed – 86 pages), attached hereto, are being deposited with the United States Postal Service as first class mail in an envelope addressed to: the Assistant Commissioner for Patents, Washington, D.C. 20231, Attn: Customer Service Center Initial Patent Examination Division, on May 13, 2002.

Vivian Y. Buijten

Typed Name of Person Mailing Correspondence

Signature of Person Mailing Correspondence

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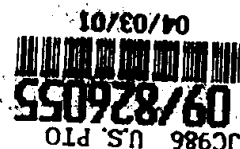
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APR 17 2001



EXPRESS MAIL NUMBER ET 214484178 US

APPLICANT: GJERDE et al  
APPLICATION NO.: New  
FILING DATE: Herewith  
TITLE: MODIFYING DOUBLE-STRANDED DNA TO ENHANCE SEPARATION BY MATCHED ION POLYNUCLEOTIDE CHROMATOGRAPHY

The following are enclosed for filing in connection with the above matter:

<input type="checkbox"/> CERTIFICATE OF MAILING UNDER 37 CFR §1.10	<input type="checkbox"/> ASSOCIATE POWER OF ATTORNEY UNDER 37 C.F.R. § 1.34
<input checked="" type="checkbox"/> DECLARATION AND POWER OF ATTORNEY (COPY)	<input type="checkbox"/> (COPY) ASSIGNMENT WITH RECORDATION COVER SHEET
<input type="checkbox"/> VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS	<input type="checkbox"/> CHECK IN THE AMOUNT OF \$225.00 FOR TOTAL FEES DUE
<input checked="" type="checkbox"/> PRELIMINARY AMENDMENT	<input checked="" type="checkbox"/> AMENDMENT TRANSMITTAL LETTER (SMALL ENTITY)
<input checked="" type="checkbox"/> UTILITY PATENT APPLICATION TRANSMITTAL	<input checked="" type="checkbox"/> <u>18</u> PAGES IN SPECIFICATION; CLAIMS
<input checked="" type="checkbox"/> TRANSMITTAL OF INFORMAL DRAWINGS (7 SHEETS)	<input checked="" type="checkbox"/> <u>9</u> SHEETS OF DRAWINGS (FORMAL; INFORMAL)

P-857  
Attorney Docket No.

John F. Brady  
Attorney Name

39,118  
Reg. No.

4-3-01  
Date Mailed